ESTTA Tracking number:

ESTTA980967

Filing date:

06/15/2019

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91240642		
Party	Defendant Bewear Athletics, LLC		
Correspondence Address	JOHN C STRINGHAM WORKMAN NYDEGGER 60 E SOUTH TEMPLE STE 1000 SALT LAKE CITY, UT 84111-1011 UNITED STATES jstringham@wnlaw.com, docketing@wnlaw.com no phone number provided		
Submission	Motion to Suspend for Settlement Discussions		
Filer's Name	John C. Stringham		
Filer's email	jstringham@wnlaw.com		
Signature	/John C. Stringham/		
Date	06/15/2019		
Attachments	MOTION TO SUSPEND 91240642 - 60 DAYS - 061419.pdf(88720 bytes )		

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Trademark Application Serial No. 86/550,308
Published in the Official Gazette of February 28, 2017, Int'l Classes 18
Filed: March 2, 2015

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ASCO GROUP LIMITED,	)	
Opposer,	)	
v.	Opposition No.: 91240642	
BEWEAR ATHLETICS, LLC	)	
Applicant.	)	

## JOINT MOTION FOR 60-DAY SUSPENSION

Opposer ASCO GROUP LIMITED ("Opposer") and BEWEAR ATHLETICS, LLC. ("Applicant"), by and through their undersigned counsel, hereby jointly move to suspend the above-captioned Opposition Proceeding for 60 days. The parties are continuing their settlement discussion and are now in the process of drafting settlement documents. Most recently, the parties have agreed to a joint Protective Order which was filed with the Board on May 23, 2019 [Docket No. 18] and have now provided information subject to the Protective Order. The parties are also now in the process of drafting settlement documents for review and consideration by each party. The parties, therefore, wish to suspend the dates set forth by the Order entered by the Trademark Trial and Appeal Board on March 20, 2019 [Docket No. 17]. Toward that end, the

parties jointly request that the open dates set forth in the parties March 20, 2019 Motion [Docket 16] as granted in the March 20, 2019 Order<sup>1</sup> be reset as follows:

Time to Answer: 08/21/2019

Deadline for Discovery Conference: 09/20/2019

Discovery Opens: **09/20/2019** 

Initial Disclosures Due: 10/20/2019

Expert Disclosures Due: 02/17/2020

Discovery Closes: **03/18/2020** 

Plaintiff's Pretrial Disclosures: 05/02/2020

Plaintiff's 30-day Trial Period Ends: 06/16/2020

Defendant's Pretrial Disclosures: 07/01/2020

Defendant's 30-day Trial Period Ends: 08/15/2020

Plaintiff's Rebuttal Disclosures Due: 08/30/2020

Plaintiff's 15-day Rebuttal Period Ends: 09/29/2020

Plaintiff's Opening Brief Due: 11/28/2020

Defendant's Brief Due: 12/28/2020

Plaintiff's Reply Brief Due: 01/12/2020

Request for Oral Hearing (optional) Due: 01/22/20210

As evidenced by the signatures below, counsel for both parties have consented to the suspension and hereby jointly move the Board to grant their request stated herein.

<sup>1</sup> The Parties are also involved in Proceeding No. 91236317 regarding U.S. Trademark App. No. 86/550,298.

Joint Motion for Suspension Filed June 15, 2019

DATED this 15th day of June, 2019.

Respectfully submitted,

/John C. Stringham/

JOHN C. STRINGHAM, Reg. No. 40,831

**WORKMAN NYDEGGER** 

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ATTORNEYS FOR APPLICANT BEWEAR ATHLETICS, LLC

Respectfully submitted,

/ Craig S. Mende /

CRAIG S. MENDE

FROSS ZELNICK LEHRMAN & ZISSU

PC

4 Times Square, 17<sup>th</sup> Floor New York, NY 10036 Telephone: 212-813-5900 cmende@fzlz.com

ATTORNEYS FOR OPPOSER ASCO GROUP LIMITED

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing JOINT MOTION FOR 60-DAY SUSPENSION was served on Opposer's Attorney of Record as set forth below, by electronic mail, on this the 15<sup>th</sup> day of June 2019:

CRAIG S. MENDE FROSS ZELNICK LEHRMAN & ZISSU PC

4 Times Square, 17<sup>th</sup> Floor New York, NY 10036 Telephone: 212-813-5900

cmende@fzlz.com

/John C. Stringham/